

# EXHIBIT 26

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

3 -----  
4 **BLACK LOVE RESISTS IN THE RUST, et al.,**  
5 **individually and on behalf of a class of**  
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.  
11 -----

12 **ORAL EXAMINATION OF CHARLES MILLER**

13 **APPEARING REMOTELY FROM**

14 **ERIE COUNTY, NEW YORK**

15  
16 June 2, 2023

17 9:32 a.m. - 4:49 p.m.

18 pursuant to notice  
19  
20

21 REPORTED BY:

22 Carrie A. Fisher, Notary Public

23 APPEARING REMOTELY FROM ERIE COUNTY, NEW YORK

-----DEPAOLO CROSBY REPORTING SERVICES, INC.-----

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716-853-5544

R E M O T E   A P P E A R A N C E S

APPEARING FOR THE PLAINTIFFS:

**NATIONAL CENTER FOR LAW  
AND ECONOMIC JUSTICE  
BY: KARINA TEFFT, ESQ.**  
50 Broadway, Suite 500  
New York, New York 10004  
(212) 633-6967

APPEARING FOR THE DEFENDANTS:

**HODGSON RUSS LLP  
BY: PETER SAHASRABUDHE, ESQ.**  
140 Pearl Street  
Buffalo, New York 14202  
(716) 848-1508

ALSO PRESENT:

**ANJANA MALHOTRA, ESQ.**  
National Center for Law  
and Economic Justice

**CLAUDIA WILNER, ESQ.**  
National Center for Law  
and Economic Justice

—DEPAOLO CROSBY REPORTING SERVICES, INC.—

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~~CHARLES MILLER~~

1 Q. It kind of depended on the day?

2 A. Yeah, it depended on the day, correct.

3 Q. Did all four of those lieutenants depending on  
4 the day set your assignments at the Housing  
5 Unit?

6 A. Yeah.

7 Q. Were you given specific assignments on a daily  
8 basis?

9 A. We would have briefing. They would discuss  
10 certain things that were brought up to them by  
11 BMHA staff. We would be told, you know, "hey,  
12 look, there's a complaint over here at the  
13 Shaffer Village, one of you guys go check that  
14 out." So, I mean, a car crew would like  
15 volunteer, "okay, I will go over there." Or  
16 "there is something over here at the  
17 Langfields, can somebody check that out?"  
18 "Okay, I will go over there."

19 Q. And that was daily that you had these  
20 briefings?

21 A. Yeah.

22 Q. You mentioned one of your duties was  
23 high-visibility patrol. What does that mean?

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~~CHARLES MILLER~~

1 A. That means high-visibility patrol, being in  
2 the area presence, police presence. We used  
3 to do park and walks through the different  
4 BMHA properties where you actually park the  
5 patrol car, you walk through the property so  
6 people see you. It deters crime.

7 Q. And was traffic enforcement part of that?

8 A. Yes.

9 Q. Were checkpoints or roadblocks part of that as  
10 well?

11 A. Yeah.

12 MR. SAHASRABUDHE: Form. You can  
13 answer.

14 A. Yes.

15 Q. And, you know, back when we were talking just  
16 a moment ago about your daily briefings,  
17 were -- so this was all verbally communicated  
18 to you, what was sort of on the docket?

19 A. Yes.

20 Q. Was anything communicated in writing?

21 A. Some of the 311 complaints were. You could  
22 like go in the computer and print them up, or  
23 the lieutenants would print them up and give

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